

Serial No. 09/885,633; Filed June 19, 2001
Reply to Office Action

REMARKS/ARGUMENTS

Claims 1-9, 13-21, and 25-29 are pending in the application. Claims 1, 13-21, 25, and 29 are amended.

CLAIM REJECTIONS—35 U.S.C. § 101

Claims 1-9 and 25-28 were rejected under 35 U.S.C. § 101, because these claims were allegedly directed to non-statutory subject matter. Specifically, the Office Action alleged that these claims failed to satisfy 35 U.S.C. § 101 because they allegedly did not recite some type of hardware.

The Applicant contends that 35 U.S.C. § 101 says nothing about hardware. The Applicant contends that the MPEP does not indicate that all method claims must recite some kind of hardware. Indeed, many patentable “processes,” some of which have nothing to do with computers (e.g., processes which are performed by people and not machines), are nevertheless patentable under 35 U.S.C. § 101 even without the recitation of any hardware.

Nevertheless, in the interest of expediting prosecution, Claims 1 and 25 have been amended so that each recites, among other features, the use of a memory of a computer system. The Applicant respectfully submits that a computer system’s memory is “hardware.” Because Claims 1 and 25 now recite some type of hardware, the Applicant respectfully submits that any deficiency from which Claims 1 and 25 formerly suffered under 35 U.S.C. § 101 has been

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remedied. Therefore, the Applicant respectfully requests that the rejection of Claims 1 and 25 under 35 U.S.C. § 101 be withdrawn.

By virtue of their dependence from Claim 1, Claims 2-9 and 28 inherit the features of Claim 1. By virtue of their dependence from Claim 25, Claims 26 and 27 inherit the features of Claim 25. Therefore, Claims 2-9 and 26-28 are patentable under 35 U.S.C. § 101, for at least the reasons discussed above in connection with Claims 1 and 25. The Applicant respectfully requests that the rejection of Claims 2-9 and 26-28 under 35 U.S.C. § 101 also be withdrawn.

Claims 13-21 and 29 were rejected under 35 U.S.C. § 101, because these claims were allegedly directed to non-statutory subject matter. Specifically, the Office Action alleged that these claims failed to satisfy 35 U.S.C. § 101 because they allegedly read on signals, which are allegedly non-statutory.

Claims 13-21 and 29 have been amended so that each now recites a computer-readable “storage” medium. The Applicant respectfully submits that these amendments to Claims 13-21 and 29 remedy any deficiency from which Claims 13-21 and 29 formerly suffered under 35 U.S.C. § 101. Therefore, the Applicant respectfully requests that the rejection of Claims 13-21 and 29 under 35 U.S.C. § 101 be withdrawn.

Serial No. 09/885,633; Filed June 19, 2001
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CONCLUSION

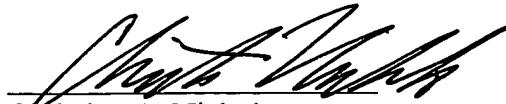
For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

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